

## **The Honorable Ricardo S. Martinez**

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

PACIFIC ENDODONTICS, P.S., individually ) Case No. 2:20-cv-00620-RSM  
and on behalf of all others similarly situated, )  
Plaintiff, ) **ORDER IN SUPPORT OF STIPULATED  
MOTION FOR STAY OF  
PROCEEDINGS PENDING RULING ON  
CONSOLIDATION AND TRANSFER BY  
JPML**  
vs. ) [Filed concurrently with Stipulated Motion  
THE OHIO CASUALTY INSURANCE ) for Stay of Proceedings Pending Ruling on  
COMPANY, ) Consolidation and Transfer by JPML.]  
Defendant. )

## ORDER

The Court having examined and considered Plaintiff Pacific Endodontics, P.S. (“Plaintiff”) and Defendant The Ohio Casualty Insurance Company’s (“Defendant”) (collectively the “Stipulating Parties”) Stipulated Motion for Stay of Proceedings Pending Ruling on Consolidation and Transfer by JPML, finding that there is good cause,

**HEREBY ORDERS AND ADJUDGES THAT** this matter is stayed in its entirety, including but not limited to (1) all scheduling deadlines pursuant to the Federal Rules of Civil Procedure, Local Rules of the United States District Court for the Western District of Washington and this Honorable Court, (2) discovery, and (3) the deadline to answer or otherwise respond to Plaintiff's Complaint, pending a ruling by the JPML concerning the transfer of this action for

1 inclusion in MDL No. 2942 for consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. In  
2 the event that the JPML denies consolidation, the stay will automatically terminate seven (7) days  
3 after the JPML's decision denying consolidation, and Defendant shall have twenty-one (21)  
4 additional days from the termination of the stay to answer, move, or otherwise plead in response  
5 to Plaintiff's Complaint.

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7 **IT IS SO ORDERED.**

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9 Dated this 26<sup>th</sup> day of May, 2020.

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12  
13 RICARDO S. MARTINEZ  
14 CHIEF UNITED STATES DISTRICT JUDGE

15 Presented By:

16 DATED this 22<sup>nd</sup> day of May, 2020.

17  
18 **KELLER ROHRBACK L.L.P.**

19 By: s/Lynn L. Sarko  
20 By: s/Amy Williams-Derry  
21 By: s/Ian S. Birk  
22 By: s/Gretchen Freeman Cappio  
23 By: s/Irene M. Hecht  
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28 ORDER

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17 *Attorneys for Defendant The Ohio Casualty  
18 Insurance Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on the date given below, I electronically filed the foregoing  
**(PROPOSED) ORDER IN SUPPORT OF STIPULATED MOTION FOR STAY OF  
PROCEEDINGS PENDING RULING ON CONSOLIDATION AND TRANSFER BY  
JPML** with the Clerk of the Court using the CM/ECF system which will send electronic  
notification of such filing to the following persons:

<p>Lynn L. Sarko Amy Williams-Derry Ian S. Birk Gretchen Freeman Cappio Irene M. Hecht Maureen Falecki Keller Rohrback L.L.P. 1201 Third Avenue, Suite 3200 Seattle, WA 98101 Tel: (206) 623-1900 Fax: (206) 623-3384</p>	<p>Attorneys for Plaintiff PACIFIC ENDODONTICS, P.S., individually and on behalf of all others similarly situated</p>
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DATED this 22<sup>nd</sup> day of May, 2020, at Seattle, Washington.

s/ Jennifer Hickman  
Jennifer Hickman